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5   Attorney for Plaintiffs
    JAMES MCGIBNEY
6   VIAVIEW, INC

7

8   UNITED STATES DISTRICT COURT

9   NORTHERN DISTRICT OF CALIFORNIA

10   SAN JOSE DIVISION

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12 JAMES MCGIBNEY, an individual, and   ) Case No.: 5:14-cv-01059 BLF
    VIAVIEW, INC, a corporation,   )
13   ) **NOTICE OF VOILUNTARY DISMISSAL**
) **WITHOUT PREJUDICE**
            Plaintiffs,   )
14   )
        vs.   )
15 THOMAS RETZLAFF, an individual,   )
    NEAL RAUHAUSER, an individual,   )
16 LANE LIPTON, an individual, and   )
    DOES 1-5, individuals whose true names are not)
17 known,   )
)
18   Defendants.   )
)
19 _____)

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21 **TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

22 Due to the foregoing reasons, we enter this voluntary dismissal as to Defendant Rauhauser. 1. We have

23 been attempting to serve Mr. Rauhauser for over six months in multiple states. 2. His attorney in Texas,

24 Jeffrey Dorrell, refuses to accept service on his client's behalf. 3. Mr. Rauhauser has four outstanding

25 warrants for his arrest in multiple jurisdictions, and he claims to not have a driver's license or any

26 permanent residence. 4. We have had private investigators, process servers and sheriffs try to serve him

27 in three states and look for him in two more plus the District of Columbia to no avail. 5. Rauhauser owes

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VOLUNTARY DISMISSAL
AS TO DEFENDANT RAUHAUSER
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1 over $60,000.00 in back child support such that prospect of the collection of a monetary judgment is

2 low.

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4 Accordingly, we hereby enter this voluntary dismissal such that we can move ahead without any delay at

5 any time against Mr. Retzlaff and the doe defendants.

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7 Dated: November 2, 2014   LAW OFFICES OF JAY LEIDERMAN

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9   By:_____/s/ Jay Leiderman____

10   JASON S. LEIDERMAN

11   Counsel for Plaintiffs ViaView

12   and James McGibney

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